

Message Text

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C O N F I D E N T I A L STATE 050350 TOSEC 060047

E.O. 11652: GDS

TAGS:PINT, PO

SUBJECT: BRIEFING MEMORANDUM - PORTUGAL: NEW CIVIL-MILITARY
PACT SETS STAGE FOR APRIL AND JUNE ELECTIONS

FOR THE SECRETARY FROM HARTMAN

ON FEBRUARY 26 PORTUGAL'S ARMED FORCES MOVEMENT (AFM) AND
THE FIVE LARGEST POLITICAL PARTIES SIGNED A NEW PACT
DESCRIBING THE POLITICAL INSTITUTIONS TO BE SET FORTH IN THE
NEW CONSTITUTION AS SUCCESSORS TO THE ORIGINAL REVOLUTIONARY
COUNCIL, ARMED FORCES MOVEMENT, ETC. FORMALIZATION OF THE
RULES SHOULD ENABLE THE THRICE-EXTENDED CONSTITUENT
ASSEMBLY TO FINISH ITS JOB SO THAT ELECTIONS FOR A
PARLIAMENT (APRIL 25) AND A PRESIDENT (JUNE 27) CAN TAKE
PLACE.

THE AGREEMENT IS FOR FOUR YEARS AND DEFINES THE FOLLOWING
ROLES FOR THE FIVE MAIN ORGANS OF GOVERNMENT:

THE PRESIDENT, WHO MAY BE CIVILIAN OR MILITARY, CAN NAME
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AND DISMISS PRIME MINISTERS, PRESIDE OVER THE REVOLUTIONARY

COUNCIL, DECLARE A STATE OF SEIGE OR EMERGENCY, DISSOLVE
ORGANS OF REGIONAL AUTONOMY AND VETO LEGISLATION -- WITH

A TWO-THIRDS VOTE BY PARLIAMENT NEEDED TO OVERRIDE.

THE 21-MAN REVOLUTIONARY COUNCIL (RC) WILL SERVE AS AN
ADVISORY COUNCIL TO THE PRESIDENT, CAN REQUIRE HIM TO
VETO BILLS IT FEELS ARE UNCONSTITUTIONAL AND MUST APPROVE
PRESIDENTIAL ACTS DECLARING WAR OR INVOKING EMERGENCY POW-
ERS. THE RC RETAINS FULL LEGISLATIVE POWERS IN MILITARY
MATTERS. ITS MEMBERS ARE: THE PRESIDENT; THE ARMED
FORCES CHIEF AND DEPUTY CHIEF OF STAFF; CHIEFS OF STAFF
OF THE THREE SERVICES; EIGHT ARMY, THREE NAVY AND THREE
AIR FORCE APPOINTEES; AND THE PRIME MINISTER IF HE IS A
MILITARY MAN;

THE LEGISLATIVE ASSEMBLY (PARLIAMENT) WILL EXERCISE
ALL PARLIAMENTARY POWERS NOT SPECIFICALLY RESERVED TO THE
PRESIDENT OR RC;

THE GOVERNMENT WILL BE FORMED BY PARLIAMENTARY MAJORITY
AND SUBJECT TO VOTES OF NO CONFIDENCE AND CENSURE. IF
MORE THAN TWO GOVERNMENTS FALL, THE PRESIDENT IS REQUIRED
TO DISSOLVE PARLIAMENT AND CALL NEW ELECTIONS;

THE COURTS, INCLUDING A NINE-MAN CONSTITUTIONAL COMMISSION,
WHOSE MEMBERS WILL BE APPOINTED FOR FOUR YEARS BY THE
SUPREME COURT, THE PRESIDENT, THE RC AND THE PARLIAMENT,
CAN RULE ON THE CONSTITUTIONALITY OF LAWS AND DECREES.

SIGNIFICANCE

THE NEW AGREEMENT FORMALIZES THE PORTUGUESE MILITARY'S
VOLUNTARY TRANSFER OF POWER BACK TO REPRESENTATIVE
INSTITUTIONS AFTER TWO YEARS OF "REVOLUTIONARY,
PROVISIONAL GOVERNMENTS. IT INCLUDES, HOWEVER, ENOUGH
HEDGED LANGUAGE TO ENABLE A REASSERTION MILITARY
PREDOMINANCE SHOULD THE CIVILIANS GO TOO FAR ASTRAY --
ESPECIALLY IF THE DEMOCRATIC PARTIES ARE UNABLE TO
COOPERATE CLOSELY ON CRITICAL PROBLEMS.
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THE PARTIES APPEAR TO HAVE WON TWO SIGNIFICANT VICTORIES
IN SCRAPPING A PREAMBLE THAT WOULD HAVE REASSERTED THE
MILITARY'S IDEOLOGICAL ROLE AND IN MANAGING TO LEAVE
OPEN THE TECHNICAL POSSIBILITY OF A CIVILIAN PRESIDENT.
THE PREAMBLE'S DEFEAT FURTHER DEVALUES MELO ANTUNES'
POLITICAL STOCK, RECENTLY BOOSTED IN THE WAKE OF PORTUGAL'S
LONG-DELAYED RECOGNITION OF THE MPLA FOR WHICH HE HAD
LOBBIED ENERGETICALLY.

THE PACT WAS JUSTIFIABLY PRAISED BY THE NEW YORK TIMES ON SUNDAY AS AN ALMOST UNPRECEDENTED EXAMPLE OF A REVOLUTIONARY MILITARY REGIME'S VOLUNTARILY RELENTING POWER TO POLITICIANS. DESPITE THE HEDGES, IT SHOULD WORK WELL SO LONG AS THE PARTIES AND THE MILITARY SEE EYE TO EYE. IF IDEOLOGICAL DIVERGENCES DEVELOP, IT WOULD BE THE BASIS FOR CONSTITUTIONAL CRISIS. FROM OUR STANDPOINT, THE PACT STAKES OUT A WESTERN DEMOCRATIC PATH FOR PORTUGAL THAT FULLY MEETS U.S. POLICY DESIRES.

PRESIDENTIAL CONTENDERS -- GOOD FROM OUR PERSPECTIVE GENERAL RAMALHO EANE., ARMED FORCES CHIEF OF STAFF AND THE HERO OF NOVEMBER 25 HAS ECLIPSED PINHEIRO AZEVEDO DURING THE PAST THREE WEEKS AS THE LEADING PRESIDENTIAL CANDIDATE. EANES WOULD PROBABLY BE ACCEPTABLE TO ALL DEMOCRATIC PARTIES AND MOST MILITARY LEADERS. PINHEIRO AZEVEDO WOULD BE

EVERYONE'S COMPROMISE SECOND CHOICE AT THIS TIME. ALTHOUGH EANES ONLY RECENTLY EMERGED FROM RELATIVE OBSCURITY, HIS TOUGH STATEMENTS AND ACTIONS SINCE NOVEMBER 25 HAVE BEEN HIGHLY POSITIVE FROM A U.S. POLICY POINT OF VIEW. EQUALLY IMPORTANT, HE APPEARS TO HAVE THE FORCEFULNESS AND BASIC INTELLIGENCE TO PROVIDE STRONG LEADERSHIP. INGERSOLL

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